

EXHIBIT 3

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC

Case No. 3:17-cv-00939-WHA

Plaintiff.

vs.

UBER TECHNOLOGIES, INC.;
OTTOMOTTO, LLC; OTTO TRUCKING
LLC

Defendants.

PLAINTIFF WAYMO LLC'S THIRD SET OF COMMON INTERROGATORIES TO DEFENDANTS

Honorable William H. Alsup

PLAINTIFF'S THIRD SET OF COMMON INTERROGATORIES TO DEFENDANTS

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiff Waymo LLC (“Waymo”) requests that Defendant Uber Technologies, Inc. (“Uber”), Ottomotto, LLC (“Otto”), and Otto Trucking LLC (“Otto Trucking”) (collectively “Defendants”) answer under oath the following interrogatories within thirty (30) calendar days of service. Defendants are subject to a duty to timely supplement all responses to these interrogatories in accordance with Rule 26(e) of the Federal Rules of Civil Procedure.

1 that are owned or controlled by APPARATE INTERNATIONAL, and all predecessors and
 2 successors in interest, and any entity owned in whole or in part by, affiliated with, or controlled in
 3 whole or in part by APPARATE INTERNATIONAL.

4 17. “STROZ” means Stroz Friedberg, LLC, and its officers, directors, current and
 5 former employees, counsel, agents, consultants, representatives, and any other persons acting on
 6 behalf of any of the foregoing, and STROZ’s affiliates, parents, divisions, joint ventures,
 7 licensees, franchisees, assigns, predecessors and successors in interest, and any other legal entities,
 8 whether foreign or domestic, that are owned or controlled by STROZ, and all predecessors and
 9 successors in interest, and any entity owned in whole or in part by, affiliated with, or controlled in
 10 whole or in part by STROZ.

11 18. “KSHIRSAGAR” means Sameer Kshirsagar.

12 19. “RADUTA” means Radu Raduta.

13 20. “MISAPPROPRIATED MATERIALS” refers to all GOOGLE and WAYMO
 14 DOCUMENTS and materials, whether digital or physical, and regardless of the manner stored, for
 15 which any current or former employee of DEFENDANTS retained possession, without
 16 authorization of either GOOGLE or WAYMO, after the employee ended his or her employment
 17 with GOOGLE/WAYMO. Without limitation, MISAPPROPRIATED MATERIALS includes at
 18 least: (i) each of the more than 14,000 digital files downloaded by LEVANDOWSKI on or about
 19 December 11, 2015 from the SVN repository; (ii) each file copied by LEVANDOWSKI from his
 20 GOOGLE laptop to an RDF5 USB 3.0 card reader on or about December 14, 2015; (iii) each of
 21 the five files that were exported by LEVANDOWSKI from Google Drive to a personal device on
 22 or about January 4, 2016; (iv) the file exported by LEVANDOWSKI from Google Drive to a
 23 personal device on or about January 11, 2016; (v) the file that was exported by LEVANDOWSKI
 24 from Google Drive to a personal device on or about November 19, 2016; (vi) the file that was
 25 exported by LEVANDOWSKI from Google Drive to a personal device on or about November 4,
 26 2016; each of the five files that were exported by KSHIRSAGAR from Google Drive in or around
 27 June and July 2016; (vii) each of the three files that were exported by RADUTA from Google
 28 Drive on or around July 28, 2016.

1 is made, identify such document with sufficient particularity for purposes of a motion to compel,
2 such identification to include at least the following:

- 3 a. the basis on which the privilege is claimed;
- 4 b. the names and positions of the author of the document and all other persons
5 participating in the preparation of the document;
- 6 c. the name and position of each individual or other person to whom the document, or
7 a copy thereof, was sent or otherwise disclosed;
- 8 d. the date of the document;
- 9 e. a description of any accompanying material transmitted with or attached to such
10 document;
- 11 f. the number of pages in such document;
- 12 g. the particular Interrogatory to which such document is responsive; and
- 13 h. whether any business or non-legal matter is contained or discussed in such
14 document.

15 40. DEFENDANTS' obligation to respond to these interrogatories is continuing and its
16 responses are to be supplemented to include subsequently acquired information in accordance with
17 the requirements of Rule 26(e) of the Federal Rules of Civil Procedure.

18 **INTERROGATORIES**

19 **COMMON INTERROGATORY NO. 8:**

20 Describe in detail YOUR policies and practices with respect to the retention and/or
21 destruction of DOCUMENTS (including without limitation emails, instant messages,
22 electronically stored information, and hard copies), from 2014 to the present.

23 **COMMON INTERROGATORY NO. 9:**

24 Describe all facts supporting YOUR contentions regarding LEVANDOWSKI's reasons for
25 downloading and/or retaining the MISAPPROPRIATED MATERIALS and all facts supporting
26 those contentions.